THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.3895 OF 2006

Dt.6.3.2006

Between:

Katakam Ramaiah Chetty … Petitioner

And

The Mandal Revenue Officer, Sodam,

Chittoor District and another … Respondents

ORDER:

Petitioner questions the action of the respondents in not issuing pattadar passbook and title deeds to the petitioner in respect of the land in Sy.No.23/4 to an extent of Ac.6.40 cent of Gongivaripalle Village, Sodam Mandal, Chittoor district, as illegal and arbitrary and further to direct the respondents to issue pattadar passbooks and title deeds to the petitioner in respect of the land in Sy.No.23/4 to an extent of Acs.6.4- cents of Gongivaripalle village, Sodam Mandal, Chittoor District.

The case of the petition is that he has purchased the land in

Sy.No.23/4 to an extent of Acs.6.40 cents situate at Gongivaripalle village from his vendor P.L.Mahesh through an agreement of sale. It is stated that the petitioner has filed O.S.No.354 of 1984 on the file of the Principal District Munsif, Punganur for specific performance, which was decreed, and later he filed E.P.No.82 of 2000 on 20.7.2000 for execution of decree and got the sale deed executed through process of Court vide registered sale deed dated 27.9.2000. It is stated that the petitioner has been put in physical possession of the said land and accordingly he made a representation to the first respondent on 11.1.2003 for issue of pattadar passbooks and title deeds under A.P.Rights in Land and Pattadar Passbook Act, 1971. It is stated that the petitioner also made representations subsequently on 20.7.2005 and 3.8.2005. But the same have not been considered and disposed of by the first respondent. The reason for not disposing of the said representations is that the vendor of the petitioner filed W.P.No.19342 of 1988 which was allowed in his favour against which the Government carried the matter in W.A.No.906 of 2003 and therefore the application of the petitioner could not be considered and a memo was given in Roc.No.B/807/85 dt.29.1.2003 stating that action will be taken after disposal of the writ appeal. Subsequently, the said W.A.No.906 of 2003 filed by the Government has been dismissed. Thereafter, possession of the land was handed over to the vendor of the petitioner. If that be so, the petitioner is entitled for pattadar passbooks and title deeds in respect of the said land.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue on behalf of the respondents.

Having regard to the facts and circumstances of the case, the respondents are directed to consider and dispose of the said applications of the petitioner filed for grant of pattadar passbooks and title deeds in accordance with law after giving reasonable opportunity to all the concerned, within eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

(V.ESWARAIAH, J.)

6.3.2006

Note: Issue copy within two days

B.O.

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